



**FOIA Request (See Attached)**  
**Jacob Cohen** to: FOIA HQ  
Sent by: **jacobccohen@gmail.com**

06/18/2013 12:58 PM

From: Jacob Cohen <cohenj2015@lawnet.ucla.edu>  
To: FOIA HQ@EPA  
Sent by: jacobccohen@gmail.com

To Whom It May Concern,

Attached to this email you will find a FOIA request for information relating to cement kiln dust regulation.

Thank you for your time and consideration,  
Jacob Cohen

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Jacob C. Cohen

J.D. Candidate, 2015, UCLA School of Law

B.A. Political Science, 2012, Binghamton University

B.A. Environmental Studies: Public Policy and Law, 2012, Binghamton University



FOIA Request for CKD Information.docx

Sent via e-mail

June 18, 2013

National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460

Re: FOIA Request for documents related to CKD Regulation under RCRA

Dear Freedom of Information Officer:

I am writing pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, to request information from the Environmental Protection Agency ("EPA") concerning all studies, proposals, petitions, documents, records, reports and relevant communications relating to cement kiln dust ("CKD") regulation under the Resource Conservation and Recovery Act ("RCRA") created since July 25, 2002. I am primarily interested in any information related to the current status of the proposed rule "Standards for the Management of Cement Kiln Dust" as published at 64 FR 45632 on August 20, 1999.

I request copies of any and all documents including but not limited to memoranda, notes, correspondence, reports and filings related to the following:

- (1) Any citizens petitions and supporting documentation filed under 15 U.S.C. Sec. 2620 for the promulgation, amendment or repeal of any regulations or rules related to the production, disposal, recycling, or management of CKD, or related to the classification of CKD under Subtitles C or D of RCRA.
- (2) Any studies or reports generated as part of the review of CKD management practices and state regulatory programs announced in the July 25, 2002 NODA published by the EPA (67 FR 48648) including any formal final determinations made following this review regarding whether the EPA will promulgate or withdraw the proposed 1999 rule (64 FR 45632) for the concerning the management of CKD.
- (3) Any correspondence, documents, studies, reports, or memoranda prepared in response to, related to, or regarding the current status of Riverkeeper, Inc.'s October 8, 2010 Petition for Issuance of the Proposed Rule "Standards for the Management of Cement Kiln Dust".

If this request is denied, either in whole or in part, please inform me as to the reasons with reference to specific exemptions of the act and inform me of the EPA's appeal procedure. If your office determines some of the portions of the requested material are exempt, I request, in accordance with FOIA, that we be provided with the remaining non-exempt portions. I, of course, reserve the right to appeal any decision to withhold any such information.

I agree to pay reasonable fees for duplication of the records requested. If the fee exceeds \$50.00 please contact me before duplicating the records. Please mail copies of the requested documentation to the address below. If any of the requested documentation is available electronically, please e-mail it to the address below in lieu of sending hard copies.

To expedite this matter, please feel free contact me at [cohenj2015@lawnet.ucla.edu](mailto:cohenj2015@lawnet.ucla.edu) or to call staff attorney Joshua Verleun at 914-478-4501 x. 247 if any questions arise in connection with my request. Thank you for your consideration of this matter.

Sincerely,

/Jacob Cohen/

Jacob Cohen  
Legal Intern

Riverkeeper, Inc.  
20 Secor Rd.  
Ossining, NY 10562  
P: 914-478-4501 x. 247  
F: 914-478-4527